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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JESSIE GONZALEZ,

Defendant.

CASE NO. 1:22-CR-00080-JLT-SKO

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
ORDER

DATE: April 20, 2022

TIME: 1:00 p.m.

COURT: Hon. Magistrate Judge Sheila K. Oberto

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was scheduled for a status conference on April 20, 2022.
2. By this stipulation, the parties move to continue the status conference until June 29, 2022, or the Court's earliest convenience, and to exclude time from calculation under the Speedy Trial Act between April 20, 2022, and June 29, 2022.
3. The parties agree and stipulate, and request that the Court find the following:
 - a) Initial discovery was provided to defendant on or about April 1, 2022, consisting of 212 Bates-stamped items, including reports of investigation, photographs, certified conviction records and a summary of defendant's criminal history.
 - b) Counsel for defendant desires additional time to review discovery, consult with

1 his client, conduct investigation and research related to the charges, and to otherwise prepare for
2 trial.

3 c) Counsel for defendant believes that failure to grant the above-requested
4 continuance would deny him the reasonable time necessary for effective preparation, taking into
5 account the exercise of due diligence.

6 d) Based on the above-stated findings, the ends of justice served by continuing the
7 case as requested outweigh the interest of the public and the defendant in a trial within the
8 original date prescribed by the Speedy Trial Act.

9 e) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
10 et seq., within which trial must commence, the time period of April 20, 2022 to June 29, 2022,
11 inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv), because it results
12 from a continuance granted by the Court request on the basis of the Court's finding that the ends
13 of justice served by taking such action outweigh the best interest of the public and the defendant
14 in a speedy trial.

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1 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
2 Speedy Trial Act provide that additional time periods are excludable from the period within which a trial
3 must commence.

4 IT IS SO STIPULATED.

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7 Dated: April 7, 2022

PHILLIP A. TALBERT
United States Attorney

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9 /s/ CHRISTOPHER D. BAKER
CHRISTOPHER D. BAKER
Assistant United States Attorney

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12 Dated: April 7, 2022

/s/ ERIC V. KERSTEN
ERIC V. KERSTEN
Counsel for Defendant
JESSIE GONZALEZ

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16 **ORDER**

17 IT IS SO ORDERED.

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21 DATED: 4/8/2022

Sheila K. Oberto
THE HONORABLE SHEILA K. OBERTO
UNITED STATES MAGISTRATE JUDGE